

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box PCT, P.O. Box 2327, Arlington, VA 22202, on September 16, 2002.

By: Debbie EllisPrinted: Debbie Ellis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yue et al.Title: SORTING NEXINSSerial No.: 09/744,313Filing Date: To Be AssignedExaminer: To Be AssignedGroup Art Unit: To Be Assigned

U. S. Patent and Trademark Office
Box PCT
P.O. Box 2327
Arlington, VA 22202

FEE TRANSMITTAL SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Notification of Defective Response (2 pp.);
3. Copy of Notification of Defective Response, dated August 16, 2002 (4 pp.);
4. Substitute Submission Under 37 CFR § 1.821-1.825 Sequence Listing (1 pg.);
5. One (1) substitute CRF diskette containing the Substitute Sequence Listing;
6. Paper copy of the Substitute Sequence Listing (5 pp.); and
7. Courtesy copy of executed Declaration originally submitted to the USPTO on August 20, 2001, including copy of Returned Receipt Postcard stamped by the USPTO on August 24, 2001.

The fee has been calculated as shown below:

☒ No additional Fee is required.

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 16 Sept 2002
Diana Hamlet-Cox

Reg. No. 33,302

Direct Dial Telephone: (650) 845-4639

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 845-4166

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Title: SORTING NEXINS

Serial No.: 09/744,313

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Group Art Unit: To Be Assigned

United States Patent and Trademark Office
Box PCT
P.O. Box 2327
Arlington, VA 22202

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

In response to the "Notification of Defective Response" mailed by the United States Patent and Trademark Office on August 16, 2002 (copy attached), Applicants submit the documents listed below to complete the filing for the above-identified patent application.

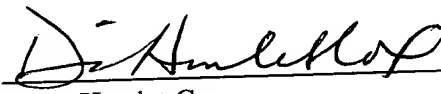
1. Substitute Submission Under 37 CFR 1.821-1.825 Sequence Listing (1 pg.);
2. One (1) substitute CRF diskette containing the Substitute Sequence Listing;
3. Paper copy of the Substitute Sequence Listing (5 pp.); and
4. Courtesy copy of executed Declaration and Power of Attorney (4 pp.), including copy of Returned Receipt Postcard stamped by the PTO on August 24, 2001.

Applicants note that the requirement for submission of the Oath or Declaration contained in the Notification of Defective Response is incorrect, as Applicants submitted the Declaration with their initial response to the Notification of Missing Requirements on August 20, 2001.

The Applicants believe that no fee is due with this communication. However, if the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 09-0108.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: 16 Sept 2002


Diana Hamlet-Cox
Reg. No. 33,302
Direct Dial Telephone: (650) 845-4639

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 849-8886



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Page 1 of 2
Incyte Pharmaceuticals, Inc.
Patent Department
Received

AUG 21 2002

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/744,313 | Henry Yue | PF-0706 USN |

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|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/US00/14831

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 05/26/2000 | |

Incyte Genomics
3160 Porter Drive
Palo Alto, CA 94304CONFIRMATION NO. 4434
371 FORMALITIES LETTER

OC000000008437643

Date Mailed: 08/16/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

• For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/744,313 | PCT/US00/14831 | PF-0706 USN |

FORM PCT/DO/EO/916 (371 Formalities Notice)